

REMARKS

By the foregoing Amendment, Claims 1 and 8 are amended. Entry of the Amendment, and favorable consideration thereof is earnestly requested.

The Examiner has rejected Claims 1-5, 9, 14 and 15 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 3,522,013 to Borgeson and has rejected Claims 6 and 7 under 35 U.S.C. §103(a) as being unpatentable over Borgeson in view of U.S. Patent No. 602,525 to Scott (Claim 6) or over Borgeson in view of U.S. Patent No. 548,685 to White or U.S. Patent No. 1,906,277 to McGee (Claim 7). Applicant respectfully asks the Examiner to reconsider these rejections in view of the above Amendments and the below Remarks.

The Examiner has indicated that Claim 8 and Claims 10-13 (which depend either directly or indirectly from Claim 8) contain allowable subject matter. Although the Examiner has not specifically identified which element(s) of Claim 8 make that Claim allowable, Applicant believes that it is the seal which distinguishes the prior art. As such, Claim 1 has been amended to incorporate the seal.

As mentioned in the first sentence of Paragraph [00052] of the application as filed, the seal prevents seepage of liquid between the valve (22) and the bottom (18) when the valve is in the down position. As mentioned in the ninth through

eleventh sentences of Paragraph [00056] of the application as filed, the seal in the second preferred embodiment also enables the triggering action of the ballast unit (24) when the water accumulating in the reservoir reaches a second level.

Applicant respectfully submits that none of the prior art documents cited by the Examiner discloses, teaches or suggests a buoyancy flushing apparatus comprising a reservoir for accumulating liquid, having an inlet for receiving liquid and an outlet chamber recessed in a bottom wall of the reservoir, an outlet valve as defined in Claim 1, and a seal to completely close the outlet chamber when the valve is in the down position. Applicant therefore believes that Claim 1, as amended, is novel and inventive in view of the prior art cited by the Examiner.

For the foregoing reasons, Applicant respectfully submits that all pending claims, namely Claims 1-15, are patentable over the references of record, and earnestly solicits allowance of the same.

Respectfully submitted,



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Amendments to the Drawings:

No amendments are made to the Drawings herein.